

# Minutes of the Veneta City Council

## November 9, 2009

Present: Mayor Sharon Hobart-Hardin, T. J. Brooker, Darrell Carman, Marion Esty and Sandra Larson

Others: Ric Ingham, City Administrator; Brian Issa, Community Services Director; Jerri Moore, Finance Director; Sheryl Hackett, City Recorder; Zac Moody, Assistant City Planner; Jerry Elliott, City Engineer; Darci Henneman, Assistant City Recorder; and Ephraim Payne, West Lane News

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### 1. PUBLIC COMMENT

#### **Joan Mariner, 25712 Cochran Ct., Veneta, OR**

Ms. Mariner suggested the USDA pipeline be installed along the Neilsen/Cantrell route and that the road be improved at the same time. Providing an alternative route to Highway 126 to the southern end of Veneta is a good idea.

### 2. CONSENT AGENDA

**MOTION:** T. J. Brooker made a motion to approve the consent agenda as presented. Marion Esty seconded the motion.

**Vote:** Marion Esty, aye; Darrell Carman, aye; Mayor Hobart-Hardin, aye; Sandra Larson, aye; and T. J. Brooker, aye.

The consent Agenda as approved included minutes for October 26, 2009, bills paid and payable for October, 2009, the Public Works Activity Report for October, 2009 and the 2009 Light Parade Permit.

### 3. DEPARTMENT REPORTS

#### a. FROM MAYOR/COUNCILORS

Mayor Hobart-Hardin said the Fern Ridge Chamber of Commerce held the Business Expo on October 24, 2009. Twenty-seven local businesses showcased their products and services. The Community Action Network (CAN) meeting will be held Thursday, November 12, 2009 at 5:45 p.m. to discuss assisting with the pool project and fundraising. She will also be attending the ODOT Open House meeting on that same date.

Sandra Larson continues to attend the pool committee meetings. She said fundraising efforts have been slow but the Committee is staying encouraged.

#### b. COUNCIL/COMMITTEE LIAISONS

- (1) Park Board Goals & Accomplishments  
Denise Hand, Park Board Chair did not attend tonight's Council meeting.

### 4. STAFF REPORTS

#### a. COMMUNITY SERVICES DIRECTOR.....BRIAN ISSA

- (1) **Ordinance 491** –AN ORDINANCE AMENDING VENETA COMPREHENSIVE PLAN ORDINANCE 416 AND COMPREHENSIVE PLAN MAP. For First Reading by Title Only.

Ordinance 491 is needed to implement the code changes identifying West Broadway as Veneta's downtown. The ordinance includes an amendment to the Comprehensive Plan Map to re-designate Commercial/General Residential on West Broadway to Commercial. A few minor text changes were made. Mayor Hobart-Hardin noticed that the Fern Ridge Chamber of Commerce was referenced as the "West Lane Chamber of Commerce". Zac said that reference will be changed when the Comprehensive Plan is amended by the City Council in early 2010. Staff recommended the City Council

approve the Findings of Fact and Ordinance 491 with two separate motions.

**MOTION: T. J. Brooker made a motion to approve the Findings of Fact. Sandra Larson seconded the motion which passed with a vote of 5-0.**

In response to a question from Darrell Carman, Zac said there was a typographical error on page three of the findings. The language should read "... and made a recommendation to the City Council on the final amendments on September 7, 2009" and not "June 5, 2006" as stated in the findings.

**MOTION: T. J. Brooker amended his previous motion to include the changes as described. Sandra Larson seconded the motion which passed with a vote of 5-0.**

**MOTION: Darrell Carman made a motion to approve Ordinance 491 for first reading by title only. T. J. Brooker seconded the motion which passed with a vote of 5-0.**

Ordinance 491 was read into the record for first reading by title only.

- (2) Approval of Contract for Preliminary Engineering Report (PER) for the USDA Pipeline Project

The two major pieces of the USDA grant application package are the Preliminary Engineering Report (PER) and the Environmental Report (ER). These two documents will contain a detailed analysis of engineering alternatives, a project cost analysis, including operation and maintenance costs as well as potential rate increases, and potential environment impacts. Due to the time constraints of the grant program and the firm's familiarity with Veneta and its water system, the City asked Murray Smith & Associates (MSA) and Weber Elliott Engineering to jointly submit a proposal to research and prepare these documents for submittal to the USDA grant program. Brian provided the Council with an excerpt of the proposal detailing the scope of the proposed work and the quoted fees for the work to be completed.

Brian said time is of the essence because the grant funds are on a "first come - first served" basis. The sooner we apply the more likely we are to get funding. Staff requested the Council to make a motion authorizing staff to enter into a contract in conformance with Oregon Public Contracting Rules section 137-048-0200(1)(A) and applicable City policies to engage Weber Elliott and MSA for the amount of \$95,700 to provide the PER and ER. Of that \$95,700, staff would like the Council to approve a total of \$15,000 to MSA, Weber Elliott and Nancy Holzhauser to prioritize their activities and answer initial questions on any potential wetland crossings that may need a fill permit. If the timeline is accurate then staff will proceed with the full contract amount of \$95,700.

In response to a question from T. J. Brooker that acquisition of property should be held at a minimum and that the City should look into using the pipeline to service other areas along the route, Ric said we need to make sure the pipeline will not be in any wetland areas. Brian said the pipeline can only go from one Urban Growth Boundary (UGB) to another and cannot service areas outside the UGB.

In response to a question from Mayor Hobart-Hardin, Ric said the next agenda item is Resolution 1015 which will explain the funding process for the Preliminary Engineering Report and the Environmental Report.

**MOTION:** T. J. Brooker made a motion to authorize staff to enter into a contract with Murray Smith & Associates; Weber Elliott Engineering and Nancy Holzhauser to provide a Preliminary Engineering Report and an Environmental Report at a not to exceed amount of \$95,700. Marion Esty seconded the motion.

In response to a question from T. J. Brooker, Brian said legal counsel had not reviewed the contract. However, the contract conforms with the Oregon Public Contracting Rules.

**VOTE:** 5-0.

- b. FINANCE DIRECTOR.....JERRI MOORE  
(1) Resolution 1015 – A RESOLUTION TRANSFERRING APPROPRIATIONS FOR THE 2009-2010 FISCAL YEAR

Jerri said Resolution 1015 is a financial follow-up to the contract discussion above. The resolution transfers \$50,000 from Capital Outlay to Materials and Services in the Water Fund. This will be added to the existing budget for Water Source Investigation for a total of \$100,000 available for the USDA pipeline project preliminary engineering.

**MOTION:** T. J. Brooker made a motion to approve Resolution 1015. Marion Esty seconded the motion which passed with a vote of 5-0.

- c. CITY ADMINISTRATOR.....RIC INGHAM  
Ric provided the Council with copies of the public comments received to-date from some East Bolton Road residents regarding the Local Improvement District (LID). The majority of the comments pertained to the public hearing on the LID scheduled for November 23, 2009. Ric said staff will also provide copies of the comments at that public hearing.

In response to a question from Marion Esty, Sheryl said some East Bolton Road residents attached their public comments to the LID remonstrance rule. Staff needed clarification from legal counsel whether or not the public comments that were received prior to the Public Hearing date being set. Legal counsel confirmed that staff could accept the public comments and submit them at the Public Hearing. This confused some residents and they thought their public comments would not be accepted.

Ric said staff has been working with the Lane County Sheriff's Office (LCSO) to address the problems residents have been having with the transients occupying the City owned vacant lot behind the Dari Mart Store at Territorial and West Broadway. There have been specific instances that are disturbing residents, potential illegal activities, and a number of ongoing negative interactions in that immediate area. It has been brought to staff's attention that one transient gentleman said the City gave the transients permission to reside there on the condition that they clean up after themselves. The City gave them permission to occupy the space during daylight hours only. Public Works staff has cleaned up the area several times and attempted to leave their personal items intact but it is not working out and the transients are getting very defiant. Staff would like to work with the owners and employees of Dari Mart to ask that alcohol not be sold to specific individuals in hopes that they will move to a different location. Staff is recommending the City post the area with "no trespassing" signs.

In response to a question from Mayor Hobart-Hardin, Ric said they all have homes or homeless camps to go to at night but they spend the day there for social reasons and to purchase alcohol. They all have strong connections with the Veneta area and do not

travel to Eugene for the winter months.

In response to a question from Marion Esty, Ric said when the LCSO or Public Works staff attempts to disburse them from that site, there are problems. They have empowered themselves and it has caused several problems. Unfortunately, by allowing them to occupy the area during the day, all summer long, they feel a sense of entitlement to the area.

Sandra Larson said the Garcia Center is very supportive of the group.

Joan Mariner said many of the transients have mental health issues and we should be looking at how to take care of the problem.

Ric said it has become a very serious public safety issue that requires action beyond what Public Works and staff can address without the LCSO.

T. J. Brooker felt it was appropriate for the City to take action if they are not cleaning up after themselves and are causing a public safety issue.

Ric said the City wants to support the new senior center and help those who choose not to be homeless; they are the ones we need to be assisting. Some homeless choose to be this way and if they police themselves, they will be left alone. There were two to three situations in the last two weeks in which they violated the City's agreement to allow them to stay there during daylight hours.

ODOT will host an open house on Thursday, November 12<sup>th</sup> from 4:00 to 7:00 p.m. at Veneta Elementary.

Jerri Moore asked if the Mayor and Council had received their new utility bills. Mayor Hobart-Hardin said she received her bill and it looks very professional and she appreciated the additional information.

In response to a question from T. J. Brooker, Ric said management decided not to include return envelopes because many customers hand deliver their payments and soon the City will offer online bill paying. Management felt it would be an under-utilized additional cost for the City.

Darrell Carman said it's unfortunate the meters cannot track water usage closer than 1,000 gallons.

Zac said staff is still working on the findings for the Veneta Land Development Ordinance (VLDO). There were 180 pages of changes. He is hopeful to get the Ordinance to the Council for approval at the November 23, 2009 Council meeting. Staff should have more time to work on it with the completion of the Comprehensive Plan.

## 5. ADJOURN

Mayor Hobart-Hardin adjourned the City Council at 7:48 p.m.

  
Sharon Hobart-Hardin, Mayor

ATTEST:

  
Darci Henneman, Assistant City Recorder  
(minutes prepared by Dhennehan)